

1 Victoria L. Nelson, Chapter 7 Trustee  
2 Email: trustee@nelsonhoumand.com  
3 3900 Paradise Road; Suite U  
4 Las Vegas, Nevada 89169-0903  
5 Telephone: 702/720-3370  
6 Facsimile: 702/720-3371

**Electronically Filed On: May 28, 2014**

7  
8 *Chapter 7 Trustee*

9  
10  
11  
12  
13  
14  
15  
16  
17  
**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

18 In re:  
19 WILLIAM A. GAYLER,  
20  
21 Debtor.

22 Case No. BK-S-09-31603-MKN  
23 Chapter 7

24  
25  
26  
27  
28  
**DECLARATION OF VICTORIA L.**  
**NELSON IN SUPPORT OF CHAPTER 7**  
**TRUSTEE'S APPLICATION TO**  
**EMPLOY ANDERSEN LAW FIRM, LTD.,**  
**NUNC PRO TUNC, AS GENERAL**  
**BANKRUPTCY COUNSEL PURSUANT**  
**TO 11 U.S.C. §§ 327(a) AND 328(a)**  
**FEDERAL RULE OF BANKRUPTCY**  
**PROCEDURE 2014**

29  
30 Date of Hearing: July 24, 2014  
31 Time of Hearing: 11:00 a.m.  
32 Place: Courtroom No. 2, Third Floor  
33 Foley Federal Building  
34 300 Las Vegas Blvd., S.  
35 Las Vegas, NV 89101

36  
37 Judge: Honorable Mike K. Nakagawa

38  
39 I, Victoria L. Nelson, declare as follows:

40 1. I am over the age of 18 years and I am competent to make this declaration. I have  
41 personal knowledge of the facts set forth herein, except for those facts stated on information and  
42

1 belief and, as to those facts, I am informed and believe them to be true. If called as a witness, I  
 2 could and would testify as to the matters set forth below based upon my personal knowledge.

3       2. I am the appointed Chapter 7 Trustee in the above-referenced bankruptcy case.

4       3. I make this declaration in support of the Application to Employ Andersen Law  
 5 Firm, Ltd., *nunc pro tunc*, as General Bankruptcy Counsel Pursuant to 11 U.S.C. §§ 327(a) and  
 6 328(a) and Federal Rule of Bankruptcy Procedure 2014 (the “Application”).<sup>1</sup>

7       4. On November 16, 2009, an involuntary petition was filed against William A.  
 8 Gayler (the “Debtor”) under Chapter 7 of Title 11 of the United States Code [Docket No. 1].

9       5. On March 29, 2010, the Court entered an Order for Relief In Involuntary Case that  
 10 placed the Debtor in a bankruptcy case under Chapter 7 of Title 11 of the United States Code  
 11 [Docket No. 85].

12       6. On March 29, 2010, James F. Lisowski was appointed as the Chapter 7 Trustee in  
 13 the Debtor’s bankruptcy case [Docket No. 86].

14       7. On December 13, 2012, David A. Rosenberg was appointed as the successor  
 15 Chapter 7 Trustee in the Debtor’s bankruptcy case.

16       8. On April 21, 2014, Victoria L. Nelson was appointed as the successor Chapter 7  
 17 Trustee in the Debtor’s bankruptcy case.

18       9. In order to permit the Trustee to fulfill her statutory obligations under Section 704,  
 19 she now desires to employ the law firm of Andersen Law, Ltd. (the “Firm”), *nunc, pro tunc*, as  
 20 general bankruptcy counsel in the Debtor’s bankruptcy case.<sup>2</sup>

21       10. In order to permit to fulfill my statutory obligations under Section 704, I now  
 22 desire to employ Andersen Law Firm, Ltd. (the “Firm”), *nunc, pro tunc*, as general bankruptcy  
 23 counsel in the Debtor’s bankruptcy case.

---

24  
 25       <sup>1</sup> Unless otherwise indicated, all chapter and section references are to the Bankruptcy Code, 11  
 26 U.S.C. §§ 101-1532, and to the Federal Rules of Bankruptcy Procedure, Rules 1001-9037. The  
 27 Federal Rules of Civil Procedure will be referred to as “FRCP” and the Federal Rules of  
 28 Bankruptcy Procedure will be referred to as “FRBP.” Unless otherwise expressly stated herein,  
 all undefined, capitalized terms shall have the meaning ascribed to them in the Application.

<sup>2</sup> This Application seeks authority to employ the Firm effective as of May 15, 2014, in order to  
 account for time expended analyzing the issues in the Debtor’s bankruptcy case.

1       11. Pursuant to Section 327, I desire to employ the Firm to render the following  
2 professional services:

- 3             (a) To investigate the financial affairs of the Debtor and  
4 determine if there are any preferential transfers, fraudulent  
5 conveyances, or turnover actions that may be filed on behalf  
6 of the bankruptcy estate pursuant to 11 U.S.C. §§ 542, 544,  
7 547, and 548.
- 8             (b) To prosecute any and all preferential transfers, fraudulent  
9 conveyances, or turnover actions that may be filed on behalf  
10 of the bankruptcy estate pursuant to 11 U.S.C. §§ 542, 544,  
11 547, and 548.
- 12             (c) To advise the Trustee of her rights and obligations and  
13 performance of her duties during the administration of this  
14 bankruptcy case;
- 15             (d) To represent the Trustee in all proceedings before this Court  
16 and any other court which assumes jurisdiction of a matter  
17 related to or arising in this bankruptcy case;
- 18             (e) To assist the Trustee in the performance of her duties as set  
19 forth in 11 U.S.C. §§ 1104 and 1106;
- 20             (f) To assist the Trustee in developing legal positions and  
21 strategies with respect to all facets of these proceedings; and
- 22             (g) To provide such other counsel and advice as the Trustee  
23 may require in connection with this bankruptcy case.

24       12. I have selected the Firm because its attorneys have experience in matters of this  
25 character, are familiar with bankruptcy practice and are qualified to represent my interests in this  
26 case.

27       13. Subject to Court approval, in accordance with 11 U.S.C. § 330, I seek to retain the  
28 Firm on an hourly basis at the customary and standard rates that the Firm charges for similar  
representation, plus reimbursement of actual and necessary expenses incurred by the Firm in  
performing its duties.

29       14. The Firm proposes the compensation of said attorneys be at varying rates currently  
30 ranging from \$200 per hour to \$300 per hour for the services of attorneys, subject to change from  
31 time to time, and all subject to application to, and approval by, this Court pursuant to Sections  
32 330 and 331 of the Bankruptcy Code.

1       15. The Firm proposes the compensation of said paraprofessionals be at varying rates  
2 currently ranging from \$150 per hour for paraprofessionals, subject to change from time to time,  
3 and all subject to application to, and approval by, this Court pursuant to Sections 330 and 331 of  
4 the Bankruptcy Code.

5 I declare under penalty of perjury under the laws of the United States that the foregoing is  
6 true and correct.

Dated this 28th day of March, 2014.

  
Victoria L. Nelson